

# COPY

Attorney Docket No. S-9

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHODS FOR REPAIRING DAMAGED INTERVERTEBRAL DISCS** the specification of which X is attached hereto or    was filed on            as Application No.            and was amended on    (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign applications(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

### Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
WIPO	PCT/US00/13706	May 17, 2000	Yes <u>X</u> No <u>  </u>

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/224,107	August 9, 2000

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
09/316,472	May 21, 1999	<u>  </u> Patented <u>X</u> Pending <u>  </u> Abandoned
09/295,687	April 21, 1999	<u>  </u> Patented <u>X</u> Pending <u>  </u> Abandoned
09/054,323	April 2, 1998	<u>  </u> Patented <u>X</u> Pending <u>  </u> Abandoned
09/268,616	March 15, 1999	<u>  </u> Patented <u>X</u> Pending <u>  </u> Abandoned
08/990,374	December 15, 1997	<u>X</u> Patented <u>  </u> Pending <u>  </u> Abandoned
08/485,219	June 7, 1995	<u>X</u> Patented <u>  </u> Pending <u>  </u> Abandoned
09/026,851	February 20, 1998	<u>  </u> Patented <u>X</u> Pending <u>  </u> Abandoned
08/690,159	July 18, 1996	<u>X</u> Patented <u>  </u> Pending <u>  </u> Abandoned

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

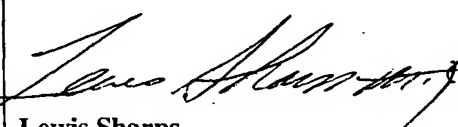
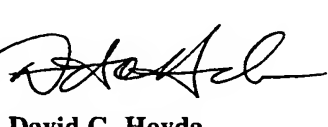
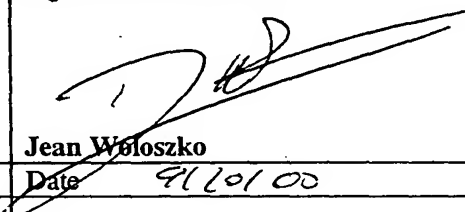
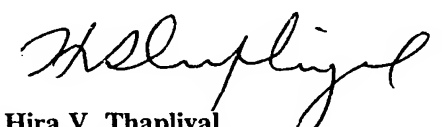
**John T. Raffle, Reg. No. 38,585**

Send Correspondence to:  <b>ArthroCare Corporation</b> <b>595 N. Pastoria Avenue</b> <b>Sunnyvale, California 94085-2936</b>	Direct Telephone Calls to: (Name, Reg. No., Telephone No.)  Name: <b>John T. Raffle</b> Reg. No.: <b>38,585</b> Telephone: <b>(408) 736-0224</b>
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Full Name of Inventor 1	Last Name <b>SHARPS</b>	First Name <b>LEWIS</b>	Middle Name or Initial
Residence & Citizenship	City <b>Bryn Mawr</b>	State/Foreign Country <b>Pennsylvania</b>	Country of Citizenship <b>United States of America</b>
Post Office Address	Post Office Address <b>911 Lafayette Road</b>	City <b>Bryn Mawr</b>	State/Country Zip Code <b>Pennsylvania 19010</b>
Full Name of Inventor 2	Last Name <b>HOVDA</b>	First Name <b>DAVID</b>	Middle Name or Initial <b>C.</b>
Residence & Citizenship	City <b>Mountain View</b>	State/Foreign Country <b>California</b>	Country of Citizenship <b>United States of America</b>
Post Office Address	Post Office Address <b>1900 Miramonte Avenue</b>	City <b>Mountain View</b>	State/Country Zip Code <b>California 94040</b>
Full Name of Inventor 3	Last Name <b>WOLOSZKO</b>	First Name <b>JEAN</b>	Middle Name or Initial
Residence & Citizenship	City <b>Mountain View</b>	State/Foreign Country <b>California</b>	Country of Citizenship <b>France</b>
Post Office Address	Post Office Address <b>1694 Columbia Drive</b>	City <b>Mountain View</b>	State/Country Zip Code <b>California 94040</b>
Full Name of Inventor 4	Last Name <b>THAPLIYAL</b>	First Name <b>HIRA</b>	Middle Name or Initial <b>V.</b>
Residence & Citizenship	City <b>Los Altos</b>	State/Foreign Country <b>California</b>	Country of Citizenship <b>United States of America</b>
Post Office Address	Post Office Address <b>1192 Volti Lane</b>	City <b>Los Altos</b>	State/Country Zip Code <b>California 94024</b>

Full Name of Inventor 5	Last Name <b>EGGERS</b>	First Name <b>PHILIP</b>	Middle Name or Initial <b>E.</b>
Residence & Citizenship	City <b>Dublin</b>	State/Foreign Country <b>Ohio</b>	Country of Citizenship <b>United States of America</b>
Post Office Address	Post Office Address <b>5366 Reserve Drive</b>	City <b>Dublin</b>	State/Country    Zip Code <b>Ohio                    43017</b>

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  <b>Lewis Sharps</b> Date <u>9/19/00</u>	Signature of Inventor 2  <b>David C. Hovda</b> Date <u>9/19/00</u>	Signature of Inventor 3  <b>Jean Wloszko</b> Date <u>9/20/00</u>
Signature of Inventor 4  <b>Hira V. Thapliyal</b> Date <u>9/20/00</u>	Signature of Inventor 5  <b>Philip E. Eggers</b> Date	

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Attorney Docket No. S-9

## ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, LEWIS SHARPS of 911 Lafayette Road, Bryn Mawr, Pennsylvania 19010, DAVID C. HOVDA of 1900 Miramonte Avenue, Mountain View, California 94040, JEAN WOLOSZKO of 1694 Columbia Drive, Mountain View, California 94040, HIRA V. THAPLIYAL of 1192 Volti Lane, Los Altos, California 94024 and PHILIP E. EGGERS of 5366 Reserve Drive, Dublin, Ohio 43017 hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below identified application for United States Letters Patent:

Title of the Invention: **METHODS FOR REPAIRING DAMAGED INTERVERTEBRAL DISCS**

Date(s) of execution of Declaration: \_\_\_\_\_

Filing date: \_\_\_\_\_ Application No.: \_\_\_\_\_; and


WHEREAS, ARTHROCARE CORPORATION, a Delaware corporation, located at 595 N. Pastoria Avenue, Sunnyvale, California 94085-2936, hereinafter referred to as "Assignee," is desirous of acquiring an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.


Date: 9/19/00

  
LEWIS SHARPS

Date: 9/19/00

  
DAVID C. HOVDA

Date: 9/20/00

  
JEAN WOŁOSZKO

Date: 9/20/00

  
HIRA V. THAPLIYAL

Date: \_\_\_\_\_

\_\_\_\_\_  
PHILIP E. EGGERS

Attorney Docket No. S-9

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Date: \_\_\_\_\_

\_\_\_\_\_  
LEWIS SHARPS

Date: \_\_\_\_\_

\_\_\_\_\_  
DAVID C. HOVDA

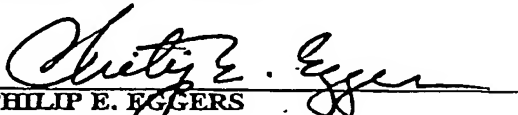
Date: \_\_\_\_\_

\_\_\_\_\_  
JEAN WOLOSZKO

Date: \_\_\_\_\_

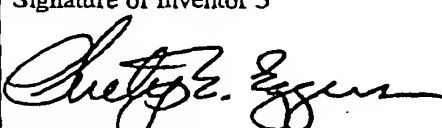
\_\_\_\_\_  
HIRA V. THAPLIYAL

Date: September 26, 2000

  
PHILIP E. EGGERS

Full Name of Inventor 5	Last Name EGGERS	First Name PHILIP	Middle Name or Initial E.
Residence & Citizenship	City Dublin	State/Foreign Country Ohio	Country of Citizenship United States of America
Post Office Address	Post Office Address 5366 Reserve Drive	City Dublin	State/Country Zip Code Ohio 43017

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
Lewis Sharps	David C. Hoyda	Jean Woloszko
Date	Date	Date
Signature of Inventor 4	Signature of Inventor 5	
Hira V. Thapliyal	 Philip E. Eggers	
Date	Date September 26, 2000	